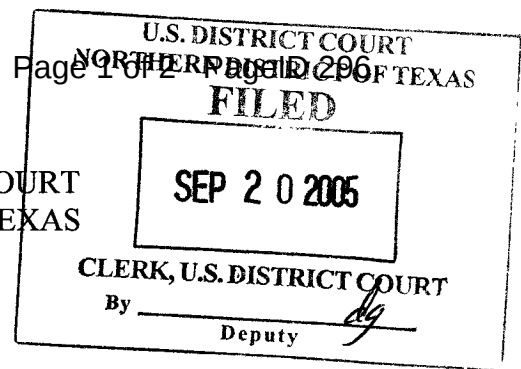


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IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION

BILL DERLETH,

Petitioner,

v.

UNITED STATES OF AMERICA,

Respondent.

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Civil Action No. 3:05-CV-1681-L

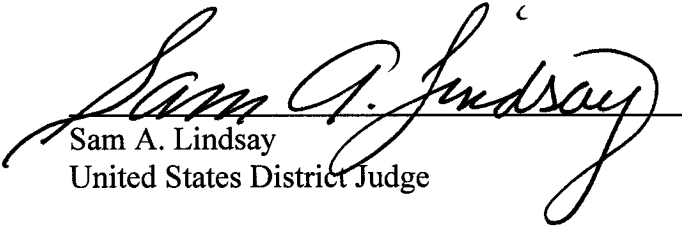
**ORDER**

Petitioner Bill Derleth filed this application for the writ of habeas corpus under 28 U.S.C. § 2241. Pursuant to 28 U.S.C. § 636(b), and an order of the court in implementation thereof, this action was referred to the United States magistrate judge for proposed findings and recommendation. On August 25, the Findings, Conclusions and Recommendation of the United States Magistrate Judge were filed, to which no objections were filed. The magistrate judge recommended that Petitioner's § 2241 petition be denied for lack of jurisdiction, as Petitioner is no longer confined within the Bureau of Prisons and is presently residing in Corpus Christi, Texas. *See* Findings and Recommendation at 2 (and cases cited therein).

Having reviewed the pleadings, file and record in this case, and the findings and conclusions of the magistrate judge, the court determines that the findings and conclusions are correct in recommending dismissal of the § 2241 petition for lack of jurisdiction. Accordingly, the magistrate's findings and conclusions are accepted as those of the court. Petitioner's § 2241 petition

for the writ of habeas corpus is **denied**, and this action is **dismissed without prejudice**. Final judgment will be issued by separate document.

It is so ordered this 19<sup>th</sup> day of September, 2005.

  
Sam A. Lindsay  
United States District Judge